

Revenue and Taxation Interim Committee - Studies, Reviews, and Reports

Utah Code Section / Subject of Report	Rev Tax Study / Review / Report Requirements	Summary of the Committee's Consideration of the Study / Review / Report	Due Date Cycle	Next Due Date	Rev Tax Reports To:	Reporting Agency	Reporting Agency's Requirements	Recommendations
Studies, Reviews, and Reports that are Completed or for which the Committee is Drafting Legislation to Repeal								
59-9-101 Utah variable life insurance rate reduction.	Study the Utah variable life insurance premium rate reduction including hearing testimony from the commission and industry and make recommendations concerning whether the rate reduction should be continued, modified, or repealed.	2009- Received fiscal data and testimony and passed a motion to continue reduction. 2012- Received fiscal data and passed a motion to continue reduction. 2015- Opened bill file to repeal study.	On or before October 1, 2009, and every three years after.	2015 Interim		State Tax Commission and Industry	Commission has reported on the cost of the rate reduction. Industry has reported on the purpose and effectiveness of the rate reduction.	Repeal. Committee already made a motion to repeal study.
59-1-304 Class action that relates to a tax or fee.			Before the October 2004 interim meeting.	Complete		State Tax Commission	Report regarding rules to simplify and expedite the administrative remedies relating to a class action that relates to a tax or fee.	Repeal. One time report.
59-5-102 Severance tax exemptions.	Review the applicability of the tax provided for coal-to-liquids, oil shale, and tar sands technology on or before the October 2011 interim meeting.	2011-Passed a motion to continue tax exemption. Formerly TRC responsibility.	On or before the November 2011 interim meeting.	Complete	LMC			Repeal. One time study.
59-7-701 Taxation of S corporations.	Study the fiscal impacts of the taxation of S corporations and pass-through entities.	2011-Materials distributed to committee members at meeting.	Study and report during the 2011 interim.	Complete	EAC			Repeal. One time study.
59-12-104.5 Sales and use tax exemption.	Review the sales and use tax exemption for purchases of property used in the research and development of alternative energy technology.	Formerly TRC responsibility.	Before the October 2011 interim meeting.	Complete				Repeal. One time study.
59-26-110 Rev Tax study.	Study the tax imposed by Section 59, Chapter 26, Multi-Channel Video or Audio Service Tax Act.		During the 2004 interim.	Complete				Repeal. One time study.
Reports Related to Utah Low-Income Housing Income Tax Credits								
59-7-607 Utah low-income housing tax credit.		2014-Received an electronic report that was not discussed during a committee meeting.	Annually	2015		Utah Housing Corporation	Report on: (i) the purpose/effectiveness of the tax credits; and (ii) the benefits of the tax credits to the state.	If kept, only require electronic report.
59-10-1010 Utah low-income housing tax credit.		2014-Received an electronic report that was not discussed during a committee meeting.	Annually	2015		Utah Housing Corporation	Report on: (i) the purpose/effectiveness of the tax credits; and (ii) the benefits of the tax credits to the state.	If kept, only require electronic report.

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Tax Commission Reports that have been Received Electronically								
59-1-213 Annual report on Internal Revenue Code changes.		2013-Received an electronic report that was not discussed during a committee meeting. 2014-Received an electronic report that was not discussed during a committee meeting.	Annually (before October interim)	2015		State Tax Commission	Report on: (i) Internal Revenue Code changes likely to have a fiscal impact; (ii) Impacts of changes on state revenues; and (iii) Statutory or administrative options to deal with changes.	Keep and only require an electronic report.
59-2-303.1 Creation of database by county assessors for enhancing annual appraisal and assessment of property.		2013-Received an electronic report that was not discussed during a committee meeting. 2014-Received an electronic report that was not discussed during a committee meeting.	Annually (after September 1)	2015		State Tax Commission	Report on the progress of database that should contain the following: (i) fee and other appraisals; (ii) property characteristics and features; (iii) property surveys; (iv) sales data; and (v) any other data or information.	Repeal.
59-2-1308.5 Equal payment agreements for property tax.	Review and assess the effects of equal payment agreements. (The commission may enter into an agreement with a commercial or industrial taxpayer to provide for equal, or approximately equal, property tax payments over a period not to exceed 20 years.)	Electronic reports have been provided by the commission. The Commission has never entered into an equal payments agreement with a commercial or industrial taxpayer. Counties have discussed doing this.	Annually	2015 Interim		State Tax Commission	Provide an assessment of the effects of equal payment agreements.	Keep but only require an electronic report if there is an agreement.
59-12-104(14) Manufacturer's sales and use tax exemptions.		2011-Received a 26 page electronic report that was not discussed during a committee meeting.	On or before October 1, 2016, and every five years after.	2016		State Tax Commission	Report that includes: (i) review of the exemption that includes a cost estimate, purpose, effectiveness, and benefits; and (ii) recommendations on whether the exemptions should be continued, modified, or repealed.	Repeal.
59-12-104(76) Sales and use tax exemption for equipment and machinery (amusement and recreation Industries).		N/A	On or before the November 2018 interim meeting, and every five years after.	2018		State Tax Commission	Review the exemption and report: (i) on the revenue lost to the state and local taxing jurisdictions; (ii) the purpose and effectiveness; and (iii) whether the exemption benefits the state.	Repeal.
Reviews and Reports that are Triggered by Federal Action								
59-7-612 Tax credits for research activities conducted in the state.	Review the tax credits if the commission reports a modification or repeal of a provision of Section 41, Internal Revenue Code. (This state credit is based on a federal credit.)	Formerly TRC responsibility.	On or before the November interim in a year in which the federal tax credit is modified.	Depends	LMC	State Tax Commission	Report the modification or repeal of Section 41, Internal Revenue Code within 60 days of the modification or repeal becoming effective.	Keep.

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59-7-613 Tax credits for machinery or equipment used for conducting research.	Review the tax credits if the commission reports a modification or repeal of a provision of Section 41, Internal Revenue Code. (This state credit is based on a federal credit.)	Formerly TRC responsibility.	On or before the November interim in a year in which the federal tax credit is modified.	Depends	LMC	State Tax Commission	Report the modification or repeal of Section 41, Internal Revenue Code within 60 days of the modification or repeal becoming effective.	Keep.
59-10-1012 Tax credits for research activities.	Review the tax credits if the commission reports a modification or repeal of a provision of Section 41, Internal Revenue Code. (this state credit is based on a federal credit.)	Formerly TRC responsibility.	On or before the November interim in a year in which the federal tax credit is modified.	Depends	LMC	State Tax Commission	Report the modification or repeal of Section 41, Internal Revenue Code within 60 days of the modification or repeal becoming effective.	Keep.
59-10-1013 Tax credits for machinery, equipment, or both primarily used for research.	Review the tax credits if the commission reports a modification or repeal of a provision of Section 41, Internal Revenue Code. (This state credit is based on a federal credit.)	Formerly TRC responsibility.	On or before the November interim in a year in which the federal tax credit is modified.	Depends	LMC	State Tax Commission	Report the modification or repeal of Section 41, Internal Revenue Code within 60 days of the modification or repeal becoming effective.	Keep.
59-12-104.5 WIC sales and use tax exemption.	Review the sales and use tax exemption for purchases made under the WIC program if Congress permits participation in WIC even if a state collects a sales tax on WIC purchases (42 U.S.C. Sec. 1786).	Formerly TRC responsibility.	Before October 1 of the year after the year in which Congress permits sales and use tax collection.	Depends				Keep.
59-12-104.5 SNAP sales and use tax exemption.	Review the sales and use tax exemption for purchases made under the SNAP program if Congress permits participation in SNAP even if a state collects a sales tax on SNAP purchases (Title 7, U.S.C. Chapter 51).	Formerly TRC responsibility.	Before October 1 of the year after the year in which Congress permits sales and use tax collection.	Depends				Keep.

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59-12-103.1 Action by US Supreme Court authorizing or Congress permitting a state to require certain sellers to collect a sales or use tax.	The committee shall: (i) review the actions taken by the US Supreme Court of the United States or Congress; (ii) direct the commission regarding the day on which the commission is required to collect the tax; and (iii) make recommendations to the Legislative Management Committee regarding whether state tax law should be amended or repealed.	Formerly TRC responsibility.	Within a one-year period after the day on which the commission makes a report.	Depends	LMC	State Tax Commission	Report: (i) regarding the actions taken by the US Supreme Court or Congress; (ii) the amount of state revenue collected at the time of the report; (iii) an estimation of the state sales and use tax rate reduction that would offset the amount of state revenue estimated to be collected for the current fiscal year and the next fiscal year.	Keep.
Reports that Address Removal of Items from an Income Tax Return								
59-7-903 Removal of tax credit from tax return.		2014-Received required information from commission. Committee sponsored a bill to repeal removed credits.	On or before the November interim, the year after the year the removal thresholds are met.	Depends		State Tax Commission	Report: (i) on which tax credits will be required to be removed from a tax return; and (ii) that the removed tax credits may not be claimed or carried forward. (Removed if < \$10,000 claimed and < 10 claimants for three consecutive taxable years.)	Keep.
59-10-1002.1 Removal of tax credit from tax return.		2014-Received required information from commission. Committee sponsored a bill to repeal removed credits.	On or before the November interim, the year after the year the removal thresholds are met.	Depends		State Tax Commission	Report: (a) on which tax credits will be required to be removed from a tax return; and (b) that the removed tax credits may not be claimed or carried forward. (Removed if < \$10,000 claimed and < 10 claimants for three consecutive taxable years.)	Keep.
59-10-1304 Removal of checkoffs from income tax return.		2014-Received required information from commission. Committee sponsored a bill to repeal removed checkoffs.	On or before the November interim, the year after the year the removal threshold is met.	Depends		State Tax Commission	Report on which checkoffs will be required to be removed from individual income tax return. (Removed if < \$30,000 generated for three consecutive taxable years.)	Keep.
Reviews and Reports Related to GOED Administered Income Tax Credits								
59-7-614.6. Tax credit for certain businesses generating state tax revenue increases.	Study the refundable tax credit and evaluate: (i) the cost; (ii) the purposes and effectiveness; and (iii) the extent to which the state benefits.	2011-Brief mention of credit. Passed a motion to continue tax credit.	On or before November 1, 2011, and every five years after.	2016 Interim		Governor's Office of Economic Development	Provide: (i) the amount of tax credit granted; (ii) the criteria for granting a tax credit; and (iii) the economic impact of the tax credit.	Repeal if the GOED annual report is sufficient. Require GOED to make an oral report and provide projections of tax credits that will be granted.

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59-10-1025 Tax credit for investment in certain life science establishments.	Study the tax credit and evaluate: (i) the cost; (ii) the purposes and effectiveness; and (iii) the extent to which the state benefits.	2011-Brief mention of credit. Passed a motion to continue tax credit.	On or before November 1, 2011, and every five years after.	2016 Interim		Governor's Office of Economic Development	Provide: (i) the amount of tax credit granted; (ii) the criteria for granting a tax credit; and (iii) the economic impact of the tax credit.	Repeal if the GOED annual report is sufficient. Require GOED to make an oral report and provide projections of tax credits that will be granted.
59-10-1109. Tax credit for certain businesses generating more state tax revenue.	Study the tax credit and evaluate: (i) the cost; (ii) the purposes and effectiveness; and (iii) the extent to which the state benefits.	2011-Brief mention of credit. Passed a motion to continue tax credit.	On or before November 1, 2011, and every five years after.	2016 Interim		Governor's Office of Economic Development	Provide: (i) the amount of tax credit granted; (ii) the criteria for granting a tax credit; and (iii) the economic impact of the tax credit.	Repeal if the GOED annual report is sufficient. Require GOED to make an oral report and provide projections of tax credits that will be granted.
63N-2-810 Technology and life science tax credits.	Study the tax credits allowed under Sections 59-7-614.6, 59-10-1025, and 59-10-1109 and make recommendations concerning whether the tax credits should be continued, modified, or repealed. Also, evaluate: (i) the cost; (ii) the purposes and effectiveness; and (iii) the extent to which the state benefits.	2011-Brief mention of credits. Passed a motion to continue tax credits.	On or before November 1, 2016, and every five years after.	2016 Interim		Governor's Office of Economic Development		Repeal if the GOED annual report is sufficient. Require GOED to make an oral report and provide projections of tax credits that will be granted.
59-7-614.8 Alternative energy manufacturing tax credit.	Review the tax credit and report to the Legislative Management Committee on whether the tax credit should be continued, modified, or repealed.	N/A	On or before October 1, 2017, and every five years after.	2017 Interim	LMC	Governor's Office of Economic Development	Provide: (i) the amount of tax credit granted; (ii) the revenues generated by the entity; (iii) latest GOED required report; and (iv) other requested information.	Repeal if the GOED annual report is sufficient. Require GOED to make an oral report and provide projections of tax credits that will be granted.
59-10-1030 Alternative energy manufacturing tax credit.	Review the tax credit and report to the Legislative Management Committee on whether the tax credit should be continued, modified, or repealed.	N/A	On or before October 1, 2017, and every five years after.	2017 Interim	LMC	Governor's Office of Economic Development	Provide: (i) the amount of tax credit granted; (ii) the revenues generated by the entity; (iii) latest GOED required report; and (iv) other requested information.	Repeal if the GOED annual report is sufficient. Require GOED to make an oral report and provide projections of tax credits that will be granted.

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59-10-1107 Economic development tax credit.	Review the tax credit and report to the Legislative Management Committee on whether the tax credit should be continued, modified, or repealed.	2013-GOED provided copies of its annual report to the committee. Formerly TRC responsibility.	On or before October 1, 2013, and every five years after.	2018 Interim	LMC	Governor's Office of Economic Development	Provide: (i) the amount of tax credit granted; (ii) the criteria for granting a tax credit; (iii) new state revenue generated by entity; (iv) latest GOED required report; and (v) other requested information.	Repeal if the GOED annual report is sufficient. Require GOED to make an oral report and provide projections of tax credits that will be granted.
59-7-614.2 Economic development tax credit.	Review the tax credit and report to the Legislative Management Committee on whether the tax credit should be continued, modified, or repealed.	2013-GOED provided copies of its annual report to the committee. Formerly TRC responsibility.	On or before October 1, 2013, and every five years after.	2018 Interim	LMC	Governor's Office of Economic Development	Provide: (i) the amount of tax credit granted; (ii) the criteria for granting a tax credit; (iii) the revenues generated by the entity; (iv) latest GOED required report; and (v) other requested information.	Repeal if the GOED annual report is sufficient. Require GOED to make an oral report and provide projections of tax credits that will be granted.
59-7-614.5 Motion picture tax credit.	Review the tax credit and report to the Legislative Management Committee on whether the tax credit should be continued, modified, or repealed.	2014-GOED provided copies of its annual report to the committee. Formerly TRC responsibility.	On or before October 1, 2014, and every five years after.	2019 Interim	LMC	Governor's Office of Economic Development	Provide: (i) the amount of tax credit granted; (ii) the criteria for granting a tax credit; (iii) the dollars left in the state by each motion picture company; (iv) latest GOED required report; and (v) other requested information.	Repeal if the GOED annual report is sufficient. Require GOED to make an oral report and provide projections of tax credits that will be granted.
59-10-1108 Motion picture tax credit.	Review the tax credit and report to the Legislative Management Committee on whether the tax credit should be continued, modified, or repealed.	2014-GOED provided copies of its annual report to the committee. Formerly TRC responsibility.	On or before October 1, 2014, and every five years after.	2019 Interim	LMC	Governor's Office of Economic Development	Provide: (i) the amount of tax credit granted; (ii) the criteria for granting a tax credit; (iii) the dollars left in the state by each motion picture company; (iv) latest GOED required report; and (v) other requested information.	Repeal if the GOED annual report is sufficient. Require GOED to make an oral report and provide projections of tax credits that will be granted.
Reviews Related to Renewable Energy Income Tax Credits								
59-7-614 Renewable energy systems tax credit.	Review each tax credit and report to the Legislative Management Committee on whether the tax credit should be continued, modified, or repealed.	2012-Brief presentation. Passed a motion to continue tax credit. Formerly TRC responsibility.	On or before October 1, 2012, and every five years after.	2017 Interim	LMC			Keep.
59-7-614.3 Tax credit for qualifying solar projects.	Review the tax credit and report to the Legislative Management Committee on whether the tax credit should be continued, modified, or repealed.	2012-Brief presentation. Passed a motion to continue tax credit. Formerly TRC responsibility.	On or before October 1, 2012, and every five years after.	2017 Interim	LMC			Keep.

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59-10-1014 Renewable energy systems tax credit.	Review each tax credit and report to the Legislative Management Committee on whether the tax credit should be continued, modified, or repealed.	2012-Brief presentation. Passed a motion to continue tax credit. Formerly TRC responsibility.	on or before October 1, 2012, and every five years after.	2017 Interim	LMC			Keep.
59-10-1024 Tax credit for qualifying solar projects.	Review the tax credit and report to the Legislative Management Committee on whether the tax credit should be continued, modified, or repealed.	2012-Brief presentation. Passed a motion to continue tax credit. Formerly TRC responsibility.	On or before October 1, 2012, and every five years after.	2017 Interim	LMC			Keep.
59-10-1106 Renewable energy tax credit.	Review the tax credit and report to the Legislative Management Committee on whether the tax credit should be continued, modified, or repealed.	2012-Brief presentation. Passed a motion to continue tax credit. Formerly TRC responsibility.	On or before October 1, 2012, and every five years after.	2017 Interim	LMC			Keep.
Reviews and Reports Related to Renewable Energy Development Income Tax Credits								
63M-4-505 Alternative Energy Development Tax Credits.		2013-No credits issued. No report needed. 2014-No credits issued. No report needed.	Annually	2015		Office of Energy Development	Report regarding: (i) success in attracting alternative energy projects to the state and the resulting increase in new state revenues; (ii) the amount of tax credits the office has granted or will grant and the time period during which the tax credits have been or will be granted; and (iii) the economic impact on the state by comparing new state revenues to tax credits that have been or will be granted under this part.	Keep.
59-7-614.7 Alternative energy development tax credit.	Review the tax credit and report to the Legislative Management Committee on whether the tax credit should be continued, modified, or repealed.	N/A	On or before October 1, 2017, and every five years after.	2017 Interim	LMC	Office of Energy Development	Provide: (i) the amount of tax credit granted; (ii) the revenues generated by projects; (iii) latest required annual report; and (iv) other requested information.	Keep.
59-10-1029 Alternative energy development tax credit.	Review the tax credit and report to the Legislative Management Committee on whether the tax credit should be continued, modified, or repealed.	N/A	On or before October 1, 2017, and every five years after.	2017 Interim		Office of Energy Development	Provide: (i) the amount of tax credit granted; (ii) the revenues generated by projects; (iii) latest required annual report; and (iv) other requested information.	Keep.

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Miscellaneous Reports								
35A-5-306 Tax credit for employment of persons who are homeless.	None	N/A	Annually (beginning in 2016)	2016		Department of Workforce Services	Report on the amount of tax credits granted.	Repeal. No compelling reason for report. Tax credits can be removed due to low utilization.
59-2-704.5 Property tax assessment levels and valuation deviations.	Review the Tax Commission's standards for determining acceptable assessment levels and valuation deviations within each county and determine whether the standards should be modified.	2008-Indepth staff presentation. 2013-On October agenda, not heard due to time; materials distributed to committee.	By October 1, 1998, and every five years after.	2018 Interim				Keep.
59-12-104.2 Exemption for accommodations and services taxed by the Navajo Nation.	The committee: (i) shall review the exemption; (ii) shall determine whether the exemption should be continued, modified, or repealed; and (iii) may review other issues related to the exemption.	2006-Statutory provision were distributed and a brief presentation on the exemption was made. Passed a motion to continue tax exemption. 2011-Statutory provisions were distributed. Passed a motion to continue tax exemption.	One or more times every five years and before the November interim meeting.	2016 Interim				Repeal.
59-23-4 Brine shrimp royalty.	The committee: (i) shall review the royalty; (ii) shall determine whether the brine shrimp royalty should be continued, modified, or repealed; and (iii) may review other issues related to the royalty.	2004-Reviewed statute and received comments from interested parties. 2009-Reviewed statute and received comments from interested parties. Motion to draft a bill to repeal obsolete language.	At least every five years and on or before the November interim meeting.	2015 Interim				Repeal.